

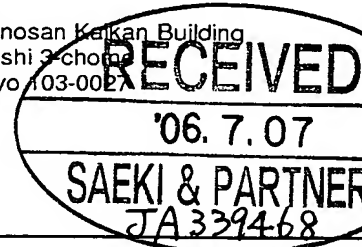
From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

SAEKI, Norio
4th Floor, Aminosan Kaikan Building
15-8, Nihonbashi 3-chome
Chuo-ku, Tokyo 103-0027
JAPON



Date of mailing (day/month/year)
29 June 2006 (29.06.2006)

Applicant's or agent's file reference
JA339468

IMPORTANT NOTIFICATION

International application No.
PCT/JP2004/012813

International filing date (day/month/year)
03 September 2004 (03.09.2004)

Applicant

HISAMITSU PHARMACEUTICAL CO., INC. et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference JA339468	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/012813	International filing date (<i>day/month/year</i>) 03 September 2004 (03.09.2004)	Priority date (<i>day/month/year</i>) 22 September 2003 (22.09.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant HISAMITSU PHARMACEUTICAL CO., INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis*.2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 20 June 2006 (20.06.2006)
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold;">Yoshiko Kuwahara</div> Telephone No. +41 22 338 90 90

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
JA339468

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/JP2004/012813

International filing date (day/month/year)
03.09.2004

Priority date (day/month/year)
22.09.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

HISAMITSU PHARMACEUTICAL CO., INC.

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/012813

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/012813

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>3 - 6</u>	YES
	Claims	<u>1, 2, 7</u>	NO
Inventive step (IS)	Claims		YES
	Claims	<u>1 - 7</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 7</u>	YES
	Claims		NO
2. Citations and explanations:			
<p>The following documents are listed in the international search report.</p> <p>Document 1/ JP 7-48554 A Document 2/ JP 2-632838 B2 Document 3/ JP 8-81331 A Document 4/ JP 9-328673 A Document 5/ JP 2003-1095 A Document 6/ JP 63-216817 A Document 7/ JP 2003-146832 A Document 8/ JP 8-143738 A Document 9/ JP 60-123417 A Document 10/ JP 2000-256189 A</p> <p>(1) Novelty of claims 1, 2, and 7: Document 1 Document 1 describes an adhesive tape wherein an adhesive base containing a sucrose fatty acid ester is applied to a polyester film (Par. No. 0048, example 5).</p> <p>(2) Inventive step of claims 1-7: Documents 2-8 Document 2 describes a patch wherein a water-absorbing polymer is compounded with a rubber base such as a polybutylene and the like. Document 2 also states that in this patch the physical effects such as the pulling of hair during removal and the like which cause reddening of the skin and the like are alleviated because the water-absorbing polymer absorbs sweat and causes the entire plaster to turn into a gel (column 3, lines 7 to 13). With respect to the sucrose fatty acid ester, document 3 states that a based containing 0.1 to 5 wt% sucrose fatty acid ester absorbs sweat and turns into a gel (claim 1; Par. Nos. 0006 to 0008). Furthermore, as described in documents 4-7 sucrose fatty acid esters are gelling agents that are widely known and conventionally used by persons skilled in the art (document 4, Par. No. 0004; document 5, Par. Nos. 0008 to 0009; document 6, page 2, lower left column to lower right column; document 7, Par. No. 0036). Therefore, in consideration of the descriptions in documents 2-7, this authority finds that it is obvious to persons skilled in the art to add a sucrose fatty acid ester having the same sweat absorbing and gelling action as the water-absorbing polymer in the patch described in document 2 in place of that water-absorbing polymer to obtain a patch that alleviates the physical effects such as the pulling of hair during removal and the like which cause reddening of the skin and the like.</p> <p style="text-align: right;">(continued)</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/012813

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V.

This being the case, this authority finds that the effect provided by the patch of the inventions of this application, i.e., that adhesiveness is not lost even though a sucrose fatty acid ester is contained therein, is obvious because documents 8 and 9 state that adhesion with the skin increases when the plaster of a patch is made into a gel (document 8, Par. No. 0002; document 9, page 4, lower right column, lines 12 to 20).

In addition, it is obvious to persons skilled in the art to add polybutene, which is a widely known adhesive, to realize the desired adhesion (document 10, Par. Nos. 0041 and 0046).